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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/694,530	10/23/2000	Zaher Al-Sheikh	ZAS-10204/03	9685

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EXAMINER

DANG, DUY M

ART UNIT PAPER NUMBER

2621

DATE MAILED: 07/26/2005

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Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/694,530

Applicant(s)

AL-SHEIKH, ZAHER

Examiner

Duy M. Dang

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____.  |

### **DETAILED ACTION**

1. The Notice of Abandonment mailed 8/25/04 is hereby withdrawn.
2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 3/1/04 has been entered.
3. The Declaration filed on 10/1/03 under 37 CFR 1.131 has been considered but is ineffective to overcome the DeBrouse reference.

It is noted that the provisional patent application Serial No. 60/060,817 does not support the features claimed in the instant application. Therefore, the effective filing date of the instant application is October 23, 2000 and the DeBrouse reference is still qualified as a prior art.

The following claimed features in the instant application are not original supported by the provisional patent application Serial No. 60/060,817:

-a process for encoding in claim 1; ink color in claims 3 and 7; non-smudgeable ink in claim 5; machine readable data series, bar code, magnetic strip encoding an alphanumeric code, a video display coupled to computer database...on said video display in claim 8; a process for encoding, encoding a machine readable data series, bar code, magnetic strip, reading the data series to said computer database, and video display in claim 9.

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

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(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-9 are rejected under 35 U.S.C. 102(e) as being anticipated by DeBrouse (US Patent No. 5,920,053).

Regarding claim 1, DeBrouse teaches a process for encoding a boarding pass with an image of a passenger to facilitate identify verification (see figure 1), comprising the steps of:

verifying the identity of the passenger prior to the boarding and at a location beyond security perimeter (see col. 3 line 67 to col. 4 line 1);

taking an electronic image of the passenger with a camera capable of generating computer-storage image output (see camera 30 of figure 1 and col. 3 lines 58-60); and

printing a human-cognizable image of the passenger directly onto said boarding pass (see col. 3 lines 62-63).

Regarding claim 2, DeBrouse further teaches associating said computer storable image output with an individual travel datum of the passenger (see figure 5).<sup>1</sup>

Regarding claim 3, and 5, DeBrouse further teaches these claimed features (see boarding 120 of figure 1 and generally shown in figure 5).

Regarding claim 4, DeBrouse further teaches centralized database (see "airline computer system" mentioned in col. 3 lines 60).

DeBrouse further teaches: a video display (i.e., video monitor 50 of figure 1) as required by claim 6.

Regarding claim 7, DeBrouse teaches a travel boarding pass system for verifying the identity of a bearer (see figure 1) comprising:

a self-support boarding pass having a human-cognizable image of the bearer printed thereon, the human-cognizable image being printed in an ink color associated with a transport departure of the bearer (see col. 3 line 56 to col. 4 line 3 in together with "boarding pass" 120 of figure 1).

Regarding claim 8, DeBrouse teaches a travel boarding pass system for verifying the identity of the bearer (see figure 1) comprising:

a self-support boarding pass having a machine readable data series selected from the group consisting of a bar code and magnetic strip encoding an alphanumeric code (see col. 3 lines 62-63);

a computer database storing a bearer associated with the reference number (see "airline computer system" mentioned in col. 3 line 60); and

a video display (see video monitor shown at 50 of figure 1) .

Claim 9 is also rejected for the same reasons as set forth in claims 1 and 7-8 above.

6. Applicant's arguments filed 3/1/04 have been fully considered but they are not persuasive.

In response to applicant's remarks that "the preamble of claim 1...above case law (fourth full paragraph of page 6), the examiner acknowledges. However, such remarks does not apply to this case because claim 1 contains language which is not supported by the original disclosure i.e., parent application. Therefore, the effective filing date of the instant application is 10/23/00 which is after the cited reference. Thus, the rejection sustains.

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7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Duy M. Dang whose telephone number is 571-272-7389. The examiner can normally be reached on Monday to Friday from 5:30AM to 2:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Mancuso can be reached on 571-272-7695. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9306 for regular communications and (703) 872-9306 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-2600.

dmd  
7/05



Duy M. Dang  
Patent Examiner